

CITY COMMISSION MINUTES

June 15, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, June 15, 2010 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, Ken Talley, and Jack Taylor. Staff present was: City Manager Gerry Vernon, Assistant City Manager Mike Guinn, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

PUBLIC COMMENT

Commissioner Johnson of 602 Stone Ridge Dr. stated that he would not like to see a change in the building permit ordinance regarding payment of taxes. He stated that he would like to see the City re-evaluate assessments; there are problems with parking and grass, and ravine at Olivia Farms. The City needs to look after taxpayers and not developers. Olivia Farms should be billed for Katie Logan's time.

Mr. Flemming of 1112 N. Washington stated that there is a problem with drainage in his alley. Mayor Rhodes stated that City staff would look into the issue.

Joseph Walker of 503 S. Washington stated that his property at 728 E. 11th is zoned heavy industrial. He was told that the area needs to be concrete for his business. Senior Inspector Mark Karmann stated that he would get the correct ordinance to Mr. Walker.

Mr. Halbach of 1302 Marshall Ct. stated that a rock fell into his back yard, and provided pictures to the Commission. He stated that he was working with Rod Barnes in the past, but the situation has not been corrected. He asked that the City review and respond. Commissioner Johnson stated that the City should not have allowed homes to be built there.

CONSENT AGENDA

a. Monthly Reports:

1. Police Report
2. Fire Department Report
3. EMS Monthly Report
4. Rolling Meadows
5. Personnel Report

Approval of the **June 1, 2010** City Commission Meeting Minutes; approval of the **June 4, 2010** Special City Commission Meeting Minutes. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **Appropriation Ordinance A-12-2010** dated May 28, 2010 to June 10, 2010 in the amount of \$1,449,480.77. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of a Special Commission Meeting on June 22, 2010 at 7:00 p.m. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of R-2614, setting a public hearing date of August 3, 2010 to address condemnation of 914 & 916 Kramer Ct. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of R-2615, setting a public hearing date of August 3, 2010 to address condemnation of 1005 Dagen Ln. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to make payment to Richard Chesney for work completed as interim finance director in the amount of \$12,000.00. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve the consent agenda as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Officer Wigton presented award to yard of the month winner Lawrence Whatley, 1722 Bel Air.

Opera House Director Tony Ballard to present financial information on the Opera House Operations and seek direction from the Commission. Exhibit A, B, and C attached. Commissioner Heldstab asked if the Opera House could be compared to similar operations in Kansas. Mr. Ballard stated that he has tried to get this information in the past, but other organizations do not generally provide this information. Commissioner Johnson stated that bed tax money may need to be used to cover the difference. Commissioner Taylor asked City Manager Vernon if the City has the funds to pay the outstanding bills. City Manager Vernon stated that the costs will need to be prioritized, and the costs will be difficult to cover.

City Manager Vernon to provide financial information concerning the Storm Water Fund. City Manager Vernon stated that ordinance approved by the Commission allows storm water funds to be used for debt service payments on storm sewer projects. Commissioner Taylor asked if it was for future projects only. City Manager Vernon stated that the fund can be used for future and past projects. City Manager Vernon stated that these funds are paying debt that is reducing the mill levy; if the fee is removed the mill levy will increase. Commissioner Taylor asked what projects the fee is paying for.

City Manager Vernon stated that it would be open to a lot of interpretation as the bond counsel did not address storm sewer improvements directly. City Attorney Logan stated that the fee was suggested by bond council to create a reserve. City Manager Vernon stated that the City will develop a list of storm water projects for the future.

City Manager Vernon to provide information concerning Open City Hall, an online public forum to increase public awareness of City operations and improve citizen input for better decision making by the City Commission.

PUBLIC HEARING

A public hearing to consider condemnation of property at 305 N. Madison St. and approval of R-2594. Assistant City Manager Guinn stated that items were published as required, and condemnation is now before the Commission at the end of the 3 month extension as agreed. Mr. Day stated that the property is still in probate. City Attorney Logan stated that the Commission could consider this item in a month after the probate process has finished. Commissioner Heldstab asked if there are any safety issues with the building. Senior Inspector Karmann stated that both front and back porches need to be repaired, as well as windows, siding, and paint. He stated that the building is secure, so should not present a danger to the public. Commissioner Heldstab moved, seconded by Commissioner Talley to reschedule the public hearing to July 20th, 2010 when the Commission will receive a plan of action for building repairs from Mr. Day. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

NEW BUSINESS

Review, prioritize and obtain direction from the recent budget hearing sessions concerning the 2011 budget. **City Manager Vernon Presenting.** City Attorney Logan stated that the City would not be able to place liens on property with assessments due to state statute. Commissioner Johnson stated that he would like more information on the Opera House, Spin City, and the Airport. City Manager Vernon stated that he would find the costs and revenues of those items. Commissioner Taylor would like staff to address the issue of a bed tax on apartments. City Manager Vernon stated that a tax of that type would need to be on all property including commercial. City Attorney Logan stated that an occupation tax on all rentals is a possibility. Commissioner Johnson stated that the NRP people need to be taxed. City Manager Vernon stated that the budget will cut City services back to essential services; outside agencies will be examined and cuts will be determined. Staff will be meeting with Veolia officials to work toward past funding levels. Commissioner Johnson stated that there should be a 4 to 5 year goal to reduce property taxes by %25. Commissioner Heldstab stated that the City needs to also consider the benefits of the programs, as well as the costs. Commissioner Talley stated that the City needs to compare itself to other cities. Commissioner Johnson stated that the ambulance service collects only 50%, and that a private company should be considered. Mayor Rhodes stated that private companies had not wanted to take the service in the past. Commissioner Taylor asked why the County does not pay for the entire ambulance service. Commissioner Johnson stated that City residents are charged by the City and Geary County for Ambulance Service. Chief Steinfert stated that the County pays for two thirds of the ambulance service and the City pays one

third. Commissioner Taylor stated that he would like to be taxed by the County once instead of both the City and County. City Manager Vernon stated that a survey of the City needs to be taken to determine what services are needed. Commissioner Johnson stated that he would like more information on the Airport; the cost of the airport is unknown. Commissioner Johnson stated that Airport employees should live in Junction City.

The consideration and approval to pay the 2010 pledge of \$24,048.00 for the 2010 Airline Marketing Campaign. **City Manager Vernon Presenting.** Mayor Rhodes asked why the funds are required if the airport has a surplus. Mr. Jankovich stated that the airport expects military numbers to be low at mid summer. Commissioner Taylor asked what Mr. Jankovich expects tickets to Chicago to cost. Mr. Jankovich stated that the ticket prices will drop to \$300.00. Commissioner Johnson stated that he would like to see the City help with advertising with using the water bills, etc. instead of providing funds. Commissioner Johnson stated that he would like to visit this issue again after the budget process. Commissioner Talley moved, Seconded by Commissioner Johnson to revisit the 2010 pledge of \$24,048.00 for the 2010 Airline Marketing Campaign after the completion of the budget process. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of a Social Media Policy that will be added to Section 10.12 Internal and External Electronic Communication to provide employees guidance in the use of social media. **City Manager Vernon Presenting.** City Attorney Logan stated that she would like to review the policy further prior to Commission approval. Commissioner Heldstab moved, seconded by Commissioner Talley to table the Social Media Policy. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Policy resolution #10-02 to clarify section 10.2 Political Activity of the city's Personnel Policies & Guidelines dated January 20, 2009. **Public Services Director Gowen Presenting.** City Attorney Logan stated that she would like to review the policy further prior to Commission approval. Commissioner Taylor moved, seconded by Commissioner Johnson to table PR #10-02. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of a triple net lease with Jupiter Group for the City owned buildings located at 2618 Mid-America Drive. **Stacy Schulte Presenting.** Commissioner Talley moved, seconded by Commissioner Heldstab to approve triple net lease with Jupiter Group for the City owned buildings located at 2618 Mid-America Drive. Ayes: Heldstab Johnson Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance G-1071 for the purpose of establishing a City wide Record Management and Retention System. (First Reading) **City Clerk Tyler Ficken Presenting.** Commissioner Heldstab moved, seconded by Commissioner Johnson to approve G-1071 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of G-1073 to amend section 220.350 of the Municipal Code. (First Reading) **Police Chief Brown Presenting.** Chief Brown stated that this proposed change to City code would allow adults not of legal drinking age to be prosecuted at the municipal court rather than the district court. Commissioner Heldstab moved, seconded by Commissioner Talley to approve G-1073 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: Johnson. Motion carried.

The consideration and approval of G-1074 to repeal section 220.370 of the Municipal Code. (First Reading) **Police Chief Brown Presenting** Commissioner Heldstab moved, seconded by Commissioner Talley to approve G-1074 on first reading. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: Johnson. Motion carried.

The consideration and approval to apply for the 2010 Edward Byrne Memorial Justice Assistance Grant offered through the state of Kansas Governor's Grants Program for bulletproof vests. (No matching funds are required) **Police Chief Brown Presenting.** Commissioner Heldstab moved, seconded by Commissioner Johnson to approve application to the 2010 Edward Byrne Memorial Justice Assistance Grant offered through the state of Kansas Governor's Grants Program for bulletproof vests. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval for the waiver or restriction of multiple items for Sundown Salute.

- (1) Noise Ordinance for 06/29/10 to 07/04/10
- (2) Animal Ordinance
- (3) Resident, Transient and Itinerant and Peddler Ordinance
- (4) Fireworks
- (5) Bicycles/Skateboards
- (6) Fee for Alcoholic Beverage License

Commissioner Johnson stated that vendors at Sundown Salute events need to pay taxes, and he would like to know the amount that is collected. Commissioner Heldstab moved, seconded by Commissioner Talley to approve the waiver or restriction of six listed items for Sundown Salute. Ayes: Heldstab, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to accept an utility easement from Hickory Hills Residences, L.C. **Assistant City Manager Guinn Presenting.** Commissioner Johnson asked if these are the tax based apartments that were discussed at the last meeting. Assistant City Manager Guinn stated that they were. Commissioner Johnson asked whether they have applied for NRP. Assistant City Manager Guinn stated that the developer has not applied for NRP. Commissioner Talley moved, seconded by Commissioner Heldstab to approve utility easement from Hickory Hills Residences, L.C. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to continue with the installation of traffic signals at the intersection of US-77 and Lacy; City share is estimated to be \$101,000.00. **Assistant City Manager Guinn Presenting.** Mayor Rhodes asked where the funds for this project would come from. Assistant City Manager Guinn stated that the projects would be budgeted for next year. Commissioner Johnson stated that he received emails that this project is

not needed now. Commissioner Talley moved, seconded by Commissioner Johnson to stop progress with the installation of traffic signals at the intersection of US-77 and Lacy. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Johnson stated that he was pleased with the budget hearings.

Commissioner Heldstab welcomes Cheryl Beatty to the City staff as Finance Administrator.

Commissioner Taylor asked that a pothole on the Southeast corner of 6th and Washington be fixed. Commissioner Taylor also wanted to make sure that the City is not giving free water to non-profit organizations as was reported in Manhattan. Assistant City Manager Guinn stated that Junction City does not give free water.

Commissioner Talley asked that City Clerk Ficken check the City ordinance to see if any additional approval needs to be made by the City Commission for 4th of July celebrations. Commissioner Talley stated that Christina Dr. needs to be checked for a blight compliance issue. He also thanked Jim Clark for his work on the bi-plane event.

Mayor Rhodes welcomed Cheryl Beatty to the City staff. He also thanked the community for their cards and support.

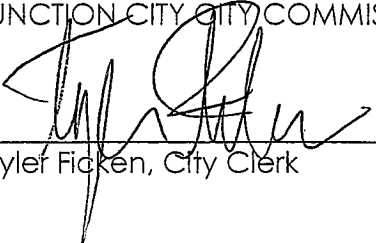
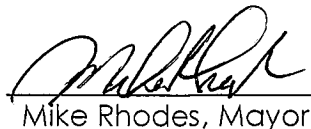
STAFF COMMENTS

Assistant City Manager Guinn stated that the City has painted stop on the intersection 18th & Jackson to help people with the change at the intersection. Assistant City Manager Guinn stated that the crosswalk at 6th & Washington has been calibrated to meet standards with a 6 second walk and 14 second flashing stop. Assistant City Manager Guinn said there would be no funding this year from the state for safe route to schools. He reminded everyone that budget meetings will be held on June 22nd and 29th.

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn at 10:20 PM Ayes: Heldstab, Johnson, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 6th DAY OF JULY 2010 AS THE OFFICIAL COPY OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR JUNE 15, 2010.


Tyler Ficken, City Clerk
Mike Rhodes, Mayor